

Amendments to the Drawings

The attached sheets of drawings include changes to Fig. 1 and new drawings requested by the Examiner labeled Fig. 2 and Fig. 3.

REMARKS

The present amendment and RCE are in response to the Rejection dated August 9, 2005, in which the Examiner rejected claims 1-4, 6-9, and 11-16. Applicant has amended claims 1-3, 6-9, and 11-13 and submitted new drawings labeled Fig. 2 and Fig. 3. The Applicant respectfully responds to the Examiner's Detailed Action and requests reconsideration and allowance of pending claims 1-4, 6-9 and 11-16.

A. Amendments to the Specification

In response to the requests of the Examiner, the Applicant has included new drawings Fig. 2 and Fig.3 and amended Page 5, lines 1-18 to reflect those additions. Due to these additions, minor changes have been included to reference Fig. 2 and Fig. 3 in the amended specification.

B. Amendments to the Drawings

The examiner objected to Fig. 1 of the drawings under 37 CFR 1.83(a) because the drawings must show every feature of the invention specified. The Examiner states that the feature "at least one illumination source proximate to the at least one integral navigation and alphanumeric key, the at least one illumination source configured to distinguish between the alphanumeric mode and the navigation scheme by illuminating the at least one integral navigation and alphanumeric key being in the navigation mode" must be shown or the feature(s) canceled from the claim(s).

In response to the Examiner's objection of Fig. 1 of the drawings, the Applicant submits the attached replacement sheet for Fig. 1 and new drawings: Fig. 2 and Fig. 3. The replacement sheet for Fig. 1 shows an illustrative example of the mobile handset. This replacement figure does not constitute new matter because it is the original Fig. 1, submitted with the patent application.

The new drawing for Fig. 2 shows an illustrative example of the mobile handset in navigation mode. The readable keys (i.e., not blacked out) are the only active keys and therefore illuminated by the graphical element. Additionally, the display 26 provides an icon such as an arrow to indicate the mobile handset is in navigation mode. The new drawing for Fig. 2 does not constitute new matter because it is supported, *inter alia*, in the Specification:

When in the navigation mode, an icon such as an arrow replaces the alphanumeric icon indicator in the lower right hand corner of display 26, to indicate navigation mode to the user. In addition to or as an alternative indication of navigation mode, the housing surface area associated with navigation keys 10 shown in Fig. 1 as an oval, as well as navigation keys 10 are illuminated with a backlighting source whenever the mobile is in navigation mode. ~ page 5, lines 7-12 above referenced patent application

As an alternative additional indicator of navigation mode to the user, housing surface areas shown at 36, 38, 40, and 42 and corresponding navigation keys 16, 18, 14, and 12 are individually illuminated with a backlighting source when one of the keys is operated. A variety of illumination schemes and icon indicators can equally serve the purpose of indicating mode to the user. ~ page 5, lines 14-18 above referenced patent application

The new drawing of Fig. 3 shows an illustrative example of the mobile handset in alphanumeric mode. In this mode, all of the keys of keypad 20 are illuminated and the oval lighting and corresponding navigational indicators (page 5, lines 10-2, 15-18) are not illuminated. Additionally, an icon, such as the letter "A", appears in the lower right hand corner of display 26 to indicate that the

mobile is in alphanumeric mode. The new drawing for Fig. 3 does not constitute new matter because it is supported in the Specification:

Upon powering up the mobile, the interface routine of the mobile defaults to the alphanumeric mode enabling the user to dial telephone numbers. Alphanumeric mode is also used when inputting data, such as when inputting names associated with frequently dialed telephone numbers into memory. An icon, such as the letter "A", appears in the lower right hand corner of display 26 to indicate that the mobile is in alphanumeric mode.
~ page 5, lines 1-6 above referenced patent application

... all the keys of the keypad 20 are illuminated when in alphanumeric mode. Suitable backlighting sources include light emitting diodes (LEDs) and electroluminescent (EL) panels.~ page 5, lines 13-14 above referenced patent application

C. Rejection of Claims under 35 USC§103

Claims 1-4, 6-9, and 11-16 have been rejected by the Examiner under 35 USC § 103 as being unpatentable over Hao, US Patent No. 6,437,709 B1 (hereinafter "Hao") in view of Wood et al, US Patent No. 6,810,271 B1 (hereinafter "Wood") and Andre, US Patent No. 5,950,809 (hereinafter "Andre"). The Applicant respectfully disagrees; however, in order to expedite the prosecution of the present application, Applicant has amended independent claims 1 and 6 and dependent claims 2-4, 7-9, and 11-14, as discussed below. For the reasons that follow, the Applicant respectfully submits that claims 1-4, 6-9, and 11-16 are patentably distinguishable over Hao in view of Wood and Andre.

Regarding independent claim 1, the Applicant has clarified a possible misinterpretation of the toggling functionality and use of illumination and graphic displays as a mode verification system. More specifically, the applicant has amended claim 1 to refer to an "automatic toggling" process comprising "a mode

icon” and “a graphical element”, both indicative of the current mode the handset is in. The current modes vary between an alphanumeric mode (Fig. 3) and a navigation mode (Fig. 2). The keys with navigable functions and, “[i]n addition to or as an alternative indication of navigation mode, the housing surface associated with navigation keys 10 shown in Fig. 1 as an oval” (above referenced patent application, Col. 3, lines 60-62) are illuminated in navigation mode. Additionally, the graphical indication of the navigation mode is provided through “an icon such as an arrow [that] replaces the alphanumeric icon indicator in the lower right hand corner of display 26, to indicate navigation mode to the user.” Furthermore, “The mode icon is updated whenever the mode is switched from one to the other.” (above referenced patent application, Col. 3, lines 56-60).

The arrangement specified by claim 1 is clearly distinguishable over the Wood disclosure because “Key 5 is located in the middle of navigation key 24” (Wood Col. 2, line 43) hence, they are differing and nonintegrated keys. Additionally, “the navigation key 24 comprises a rocking switch having an 8-way actuation and can be actuated by a user pressing down on a suitable part of navigation key 24.” (Wood Col. 2, line 44-46) clearly states that there is an actuation process involved in switching from one mode to another. Furthermore, as stated by the Examiner, “the combination of Hao and Andre fails to disclose the feature key automatically toggles between the alphanumeric and the navigation mode”.

With regard to claim 6, the current application is inconsistent with Wood in view of Hao and Andre because, *inter alia*, the mobile handset comprises a microprocessor including software routines configured to automatically activate a menu icon and “a graphical element,” that are indicative of the current mode said mobile handset is in. Additionally, the applicant has amended claim 6 to refer to an “automatic toggling” process comprising “a mode icon” and “a graphical element”, both indicative of the current mode the handset is in. The current modes vary between an alphanumeric mode (Fig. 3) and a navigation mode (Fig. 2). The keys with navigable functions and, “[i]n addition to or as an alternative indication of navigation mode, the housing surface associated with navigation keys 10 shown in Fig. 1 as an oval” (above referenced patent application, Col. 3, lines 60-62) are illuminated in navigation mode. Additionally, the graphical indication of the navigation mode is provided through “an icon such as an arrow [that] replaces the alphanumeric icon indicator in the lower right hand corner of display 26, to indicate navigation mode to the user.” Furthermore, “The mode icon is updated whenever the mode is switched from one to the other.” (above referenced patent application, (Col. 3, lines 56-60).

This is clearly distinguishable from the teachings of Wood because “Key 5 is located in the middle of navigation key 24” (Wood Col. 2, line 43) hence, they are differing and nonintegrated keys. Additionally, “the navigation key 24 comprises a rocking switch having an 8-way actuation and can be actuated by a user pressing down on a suitable part of navigation key 24.” (Wood Col. 2, line 44-46) clearly states that there is an actuation process involved in switching from

one mode to another. Furthermore, as stated by the Examiner, “the combination of Hao and Andre fails to disclose the feature key automatically toggles between the alphanumeric and the navigation mode”.

In summary, the Examiner shall appreciate that the combined references of Hao, Wood, or Andre all fail to disclose, teach or suggest, *inter alia*, an automated toggling between an alphanumeric mode and a navigation mode comprising both an illuminary display solely for indicating mode and a mode icon presented to the user for the purposes of simplicity of use and indication of mode. Additionally, the substantial differences between the illumination system as taught by Andre and the proximate illumination system as taught by the Applicant transcend simple method and functionality. The illumination source, as taught by the applicant is directed, concise, (does not always illuminate all keys) and is not for the purposes of “improved visibility in low lighting conditions”, as taught by Wood (Col. 4, lines 31-35; Col. 2, lines 43-53, 62-64; Col. 3, lines 1-7, 43-46).

Since the independent claims 1 and 6 overcome the 35 USC § 103 rejection, the Applicant respectfully requests that each of the dependent claims 2-4 and 16, and 7-15 overcome the objection rejection for at least the same reasons.

D. Conclusion

For all the forgoing reasons, allowance of pending claims 1-4, 6-9 and 11-16 is respectfully requested.

Respectfully Submitted;

Dated: Nov.4 2005

/Jonathan T. Velasco/

Jonathan T. Velasco, Esq.
Reg. No. 42,200

Jonathan T. Velasco, Esq.
Kyocera Wireless Corp.
Attn: Patent Department
P.O. Box 928289
San Diego, California 92192-8289
Tel: (858) 882-3501
Fax: (858) 882-2485

Attachments: Replacement Sheet for Fig. 1
 New Sheet for Figure 2
 New Sheet for Figure 3